

REMARKS

Claims 1-22 remain pending in the application.

Claims 1, 3-9, 11-16 and 18-22 over Miyoshi

Claims 1, 3-9, 11-16 and 18-22 were rejected under 35 USC 102(b) as allegedly being anticipated by U.S. Pat. No. 5,493,455 to Miyoshi et al. ("Miyoshi"). The Applicant respectfully traverses the rejection.

Claims 1 and 3-8 recite a pre-existing electronic information signal detection element to read a pre-existing electronic information signal stored on a given magnetic storage media; and a record circuit, adapted to record on the given magnetic storage media, to deactivate at least one record/play element based on a mere existence of a pre-recorded signal already recorded on the given magnetic storage media, as detected by a pre-existing information signal detection element. Claims 9, 11-16 and 18-22 recite a system and method of detecting a pre-existing video signal from a given video tape and deactivating a record circuit in a video cassette player based on a mere existence of a pre-existing video signal already recorded on the given video tape.

Thus, claims 1, 3-9, 11-16 and 18-22 recite a system and method of detecting a pre-existing electronic information/pre-existing video signal from a given magnetic storage media/video tape and deactivating a record/play element/record circuit based on a mere existence of a pre-recorded signal/ pre-existing video signal already recorded on the given magnetic storage media/video tape, with the pre-existing electronic information/pre-existing video signal and deactivation being detected from and performed for the same given magnetic storage media/video tape.

Miyoshi appears to disclose a video cassette 7 that additionally includes electronic memory 5 (see Fig. 5). The electronic memory 5 contains information about the contents of the video tape 4 (see Miyoshi, col. 6, lines 14-27). The electronic memory 5 stores program erasing prevention information 17 (see Miyoshi, col. 6, lines 53-59; Fig. 8). Detector 37 reads the program erasing prevention flag from the memory 5 for transfer to a control circuit 32 to prevent recording (see Miyoshi, col. 7, lines 39-50).

Thus, Miyoshi relies on electronic memory 5 which is quite different from a video tape 4 to store program erasing prevention information 17. Miyoshi fails to disclose the pre-existing electronic information/pre-existing video signal and deactivation being detected from and performed for the same given magnetic storage media/video tape, i.e., fails to disclose a system and method of detecting a pre-existing video signal from a given magnetic storage media/video tape and deactivating a record/play element/record circuit based on a mere existence of a pre-recorded signal/ pre-existing video signal already recorded on the given magnetic storage media/video tape, as recited by claims 1, 3-9, 11-16 and 18-22.

A benefit of a system and method of detecting a pre-existing video signal from a given magnetic storage media/video tape and deactivating a record/play element/record circuit based on a mere existence of a pre-recorded signal/ pre-existing video signal already recorded on the given magnetic storage media/video tape, with the pre-existing electronic information/pre-existing video signal and deactivation being detected from and performed for the same given magnetic storage media/video tape is, e.g., simplified overwrite prevention. Miyoshi relies on a memory added to a video cassette. Adding a memory to a video tape requires changing the standard by which video tapes are constructed for compatibility between different manufacturer's video tapes. Moreover, adding a memory to a video tape adds expense to each video tape manufactured. Applicant's claimed features can be performed without modification to existing magnetic storage media/video tape technology through detection of a pre-existing information from the magnetic storage media/video tape itself. Using information on the magnetic storage media/video tape itself simplifies implementation over Miyoshi's solution that requires a memory separate from a video tape to store erasing prevention information.

For these and other reasons, claims 1, 3-9, 11-16 and 18-22 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 2, 10 and 17 over Okamoto in view of Takayama

Claims 2, 10 and 17 were rejected under 35 USC 103(a) as allegedly being obvious over Miyoshi in view of U.S. Pat. No. 6,134,066 to Takayama ("Takayama"). The Applicant respectfully traverses the rejection.

Claim 2, 10 and 17 recite, *inter alia*, a system and method of detecting a pre-existing video signal from a given magnetic storage media/video tape and deactivating a record/play element/record circuit based on a mere existence of a pre-recorded signal/ pre-existing video signal already recorded on the given magnetic storage media/video tape.

As discussed above, Miyoshi fails to disclose, teach or suggest a system and method of detecting a pre-existing video signal from a given magnetic storage media/video tape and deactivating a record/play element/record circuit based on a mere existence of a pre-recorded signal/ pre-existing video signal already recorded on the given magnetic storage media/video tape, as recited by claims 2, 10 and 17.

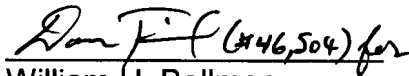
Takayama is relied on to disclose a plurality of record/play elements at col. 4, lines 25-31 and in Fig. 3. However, even modifying Miyoshi with Takayama's plurality of record/play elements fails to disclose, teach or suggest a system and method of detecting a pre-existing video signal from a given magnetic storage media/video tape and deactivating a record/play element/record circuit based on a mere existence of a pre-recorded signal/ pre-existing video signal already recorded on the given magnetic storage media/video tape, as recited by claims 2, 10 and 17.

For these and other reasons, claims 2, 10 and 17 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,


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